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Indigenous issues

Report of the Third Committee

Rapporteur: Mr. Pedro **Cardoso** (Brazil)

I. Introduction

1. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixtieth session the item entitled "Indigenous issues" and to allocate it to the Third Committee.

2. The Committee considered the item at its 19th, 20th, 22nd and 45th meetings, on 19, 20 and 24 October, and on 21 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/60/SR.19, 20, 22 and 45).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the draft Programme of Action for the Second International Decade of the World's Indigenous People (A/60/270 and Add.1);

(b) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people (A/60/358);

(c) Letter dated 5 July 2005 from the representative of Jamaica to the Secretary-General, transmitting the Doha Declaration and Doha Plan of Action adopted by the Second South Summit of the Group of 77, held at Doha from 12 to 16 June 2005 (A/60/111).

4. At the 19th meeting, on 19 October, the Director of the Division for Social Policy and Development, Department of Economic and Social Affairs, made an introductory statement (see A/C.3/60/SR.19).

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5. At the same meeting, the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people made an introductory statement and engaged in a question-and-answer session with the representatives of the United Kingdom of Great Britain and Northern Ireland, Iran (the Islamic Republic of), Guatemala and the Holy See (see A/C.3/60/SR.19).

II. Consideration of proposals

A. Draft resolution A/C.3/60/L.23

6. At the 22nd meeting, on 24 October, the representative of Peru, on behalf of Argentina, Bolivia, Brazil, Chile, Denmark, the Dominican Republic, Ecuador, Guatemala, Guyana, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "Programme of action for the Second International Decade of the World's Indigenous People" (A/C.3/60/L.23), which read:

"*The General Assembly*,

"*Bearing in mind* that, in the Vienna Declaration and Programme of Action, the 1993 World Conference on Human Rights recognized the inherent dignity and the unique contribution of indigenous peoples to the development and plurality of society and strongly reaffirmed the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development,

"*Reaffirming* that States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous peoples, on the basis of equality and non-discrimination, and recognizing the value and diversity of their distinctive identities, cultures and social organizations,

"*Recalling* its resolution 48/163 of 21 December 1993, in which it proclaimed the International Decade of the World's Indigenous People, commencing on 10 December 1994, with the goal of strengthening international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health,

"*Bearing in mind* the internationally agreed development goals, including those contained in the United Nations Millennium Declaration and the programme of action for the Second Decade of the World's Indigenous People, which are linked and together bring actions to improve the standard of living of the indigenous peoples,

"*Welcoming* its resolution 59/174 of 20 December 2004 proclaiming the Second International Decade of the World's Indigenous People, 2005-2014,

"*Expressing its appreciation* to the Coordinator of the Second Decade, the Under-Secretary-General for Economic and Social Affairs, for having elaborated a concrete programme of action to be pursued during the Decade based upon equal participation and partnership between all actors involved,

"*Conscious* that in its resolution 59/174 the General Assembly requested the Coordinator to fulfil his mandate in full cooperation and consultation with, inter alia, the Permanent Forum on Indigenous Issues and other relevant bodies and mechanisms of the United Nations system, and the Office of the United Nations High Commissioner for Human Rights,

"*Deeply convinced* of the need to continue giving special attention throughout the Second Decade to standard-setting activities on issues of particular interest to indigenous peoples,

"*Having considered* all the ideas and proposals submitted in the course of drafting the programme of action,

"1. *Adopts* the draft programme of action for the Second International Decade of the World's Indigenous People;

"2. *Urges* all actors involved in the process to cooperate in a constructive manner to achieve rapid progress and concrete results in realizing the goals of the Second Decade;

"3. *Appeals* to the international community to provide financial support to the programme of action for the Second Decade, inter alia, through contributions to the Voluntary Fund for the Second International Decade of the World's Indigenous People;

"4. *Adopts* for the Second International Decade of the World's Indigenous People the theme, "Agenda for life";

"5. *Requests* the Coordinator to consult with Member States, agencies and organizations of the United Nations system, indigenous peoples and other organizations with respect to the possibility of undertaking midterm and end-of-term reviews of the Second Decade;

"6. *Reaffirms* that, in accordance with its resolutions 40/131 of 13 December 1985, 52/108 of 12 December 1997 and 56/140 of 19 December 2001, the representatives of indigenous communities and organizations will continue to benefit from the financial assistance that can be provided by the Voluntary Fund for Indigenous Populations to facilitate their participation in the deliberations of the Working Group on Indigenous Populations and in those of the Permanent Forum and the open-ended intersessional working group of the Commission on Human Rights in charge of completing the draft United Nations declaration on the rights of indigenous peoples;

"7. *Decides* to include in the provisional agenda of its sixty-first session, under the item entitled 'Indigenous issues', a sub-item entitled 'Second International Decade of the World's Indigenous People'."

7. At its 45th meeting on 21 November, the Committee had before it a revised draft resolution (A/C.3/60/L.23/Rev.1), submitted by the sponsors of draft resolution A/C.3/60/L.23 and Antigua and Barbuda, Armenia, Azerbaijan, Barbados, Belize, Burkina Faso, Cameroon, Colombia, Costa Rica, Cuba, China, El Salvador, Estonia, Finland, Greece, Grenada, Guinea, Honduras, Hungary, Italy, Jamaica, Jordan, Nicaragua, Norway, the Philippines, the Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, South Africa and Spain.

8. At the same meeting, the representative of Peru orally revised the ninth preambular paragraph by inserting the words "as appropriate" after the words "the need to continue".

9. Also at the 45th meeting, the Committee adopted draft resolution A/C.3/60/L.23/Rev.1, as orally revised, without a vote (see para. 12).

10. After the adoption of the draft resolution, statements were made by the representatives of Australia, Uruguay (on behalf of the States Members of the United Nations that are members of the Common Market of the South (MERCOSUR) and Bolivia, Chile, Colombia, Ecuador, Peru and Venezuela (Bolivarian Republic of), the United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union) and the United States of America (see A/C.3/60/SR.45).

B. Draft decision proposed by the Chairman

11. At its 45th meeting, on 21 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people (see para. 13).

III. Recommendation of the Third Committee

12. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Programme of Action for the Second International Decade of the World's Indigenous People

The General Assembly,

Bearing in mind that, in the Vienna Declaration and Programme of Action,[1] the 1993 World Conference on Human Rights recognized the inherent dignity and the unique contribution of indigenous peoples to the development and plurality of society and strongly reaffirmed the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development,

Reaffirming the commitment of States to continue making progress in the advancement of the human rights of the world's indigenous peoples at the local, national, regional and international levels, as well as in areas of culture, education, health, environment and social and economic development,

Reaffirming also that States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous peoples, on the basis of equality and non-discrimination, and recognizing the value and diversity of their distinctive identities, cultures and social organizations,

Recalling its resolution 48/163 of 21 December 1993, in which it proclaimed the International Decade of the World's Indigenous People, commencing on 10 December 1994, with the goal of strengthening international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health,

Bearing in mind the internationally agreed development goals, including those contained in the United Nations Millennium Declaration[2] and the draft programme of action for the Second Decade of the World's Indigenous People,[3] which are linked and together promote actions to improve the standard of living of the indigenous peoples,

Recalling its resolution 59/174 of 20 December 2004 proclaiming the Second International Decade of the World's Indigenous People, 2005-2014,

Expressing its appreciation to the Coordinator of the Second Decade, the Under-Secretary-General for Economic and Social Affairs, for having elaborated a concrete programme of action to be pursued during the Decade based upon equal participation and partnership between all actors involved,

Conscious that in its resolution 59/174 it requested the Coordinator to fulfil his mandate in full cooperation and consultation with, inter alia, the Permanent Forum

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[1] A/CONF.157/24 (Part I), chap. III.

[2] See resolution 55/2.

[3] A/60/270, sect. II.

on Indigenous Issues, other relevant bodies and mechanisms of the United Nations system and the Office of the United Nations High Commissioner for Human Rights,

Keeping in mind the need to continue, as appropriate, developing standard-setting activities on issues of particular interest to indigenous peoples,

Expressing its appreciation for all contributions and proposals submitted in the course of the drafting of the programme of action for the Second International Decade of the World's Indigenous People, and also giving due consideration to the contributions of the Office of the United Nations High Commissioner for Human Rights and the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights to the draft programme of action,

1. *Adopts* the Programme of Action for the Second International Decade of the World's Indigenous People[3] as a guideline for action for the Decade;

2. *Urges* all actors involved in the process to cooperate in a constructive and decisive manner in order to achieve rapid progress and concrete results in realizing the goals of the Second Decade;

3. *Appeals* to the international community at large to provide financial support to the Programme of Action for the Second International Decade of the World's Indigenous People, inter alia, through contributions to the Voluntary Fund for the Second Decade;

4. *Adopts* "Partnership for action and dignity" as the theme for the Second Decade;

5. *Requests* the Coordinator of the Second Decade to consult with Member States, agencies, organizations and other relevant bodies and mechanisms of the United Nations system, indigenous organizations and other non-governmental organizations about the possibility of undertaking midterm and end-of-term reviews of the Second Decade;

6. *Reaffirms* that, in accordance with its resolutions 40/131 of 13 December 1985, 52/108 of 12 December 1997 and 56/140 of 19 December 2001, the representatives of indigenous communities and organizations will continue to benefit from the financial assistance provided by the United Nations Voluntary Fund for Indigenous Populations to facilitate their participation in the deliberations of the Permanent Forum on Indigenous Issues, the working group of the Commission on Human Rights charged with elaborating the draft United Nations declaration on the rights of indigenous peoples and the Working Group on Indigenous Populations, according to the terms of references of the Fund;

7. *Urges* all Governments and indigenous organizations concerned to take every action necessary to facilitate the adoption of the draft United Nations declaration on the rights of indigenous peoples as soon as possible;

8. *Invites* Governments, the organs, organizations and bodies of the United Nations system, other intergovernmental organizations, indigenous and other non-governmental organizations and civil society actors to draw up their own plans for the Second Decade, using as a guideline for action the goals, objectives and Programme of Action for the Second Decade, including integrating a gender perspective in such activities;

9. *Decides* to include in the provisional agenda of its sixty-first session, under the item entitled "Indigenous issues", a sub-item entitled "Second International Decade of the World's Indigenous People".

13. The Third Committee also recommends to the General Assembly the adoption of the following draft decision.

Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people

The General Assembly takes note of the note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people.[1]

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[1] A/60/358.